



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

3673
#11
Request for Reexamination
3/6/03

APPLICANT: William T. Carpenter

ATTY. DOCKET: P-01426US2

SERIAL NO.: 09/773,815

FILING DATE: January 31, 2001

TITLE: Method of Modifying the
Axis of Rotation of the Earth

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GROUP 3600

Box Response
Commissioner of Patents and Trademarks
Washington, DC 20231

Dear Sir:

RESPONSE

Responsive to the Office Action of December 18, 2002, Applicant respectfully traverses.

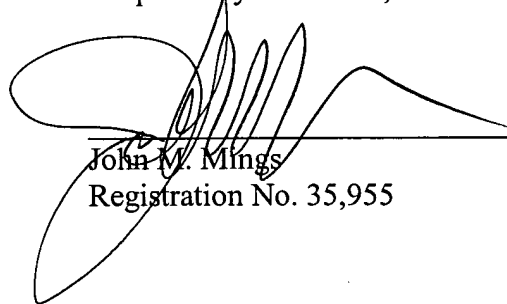
The only present basis for rejection is obviousness, based solely on the single Chao reference. It is not contended that Chao discloses anything other than the problem to be solved. Nonetheless, the Office Action reasons that, since the problem is environmental, and it is obvious to try to solve environmental problems, the solution is obvious.

With due respect to the Examiner, the Office Action fails to make a prima facie case of obviousness. It is insufficient to simply declare each step in the method to be obvious, without citation to evidence that reflects both (a) that the steps are in the prior art, and (b) the prior art teaches or suggests that the steps should be combined as described in the claims. It is insufficient to declare broadly that the steps are obvious from Chao, "taken as a whole."

Applicant respectfully objects to the failure to cite art to support the Examiner's contention that the recited steps are in the prior art and that there is a teaching or suggestion to combine them.

Applicant respectfully requests reconsideration and submits that the claims are in condition for allowance.

Respectfully submitted,



John M. Mings
Registration No. 35,955

Date: 2-18-02
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Box Response, Assistant Commissioner for Patents, Washington, D.C. 20231 on 2-18, 2003.

Sandy Rork

Sandy Rork
Signature

Date 2-18-03

Response
Postcard